IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT APPEAL NO : 1360 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/04/2004 in WP No : 8261 of 2003 on the file of the High Court.)

Between:

1. Noor Ahmed, S/o.Bayan Saheb,
R/o.Chavalingamma Naidu palle, Varadaiahpalem
Mandal,Chittoor Dist.
2. Pinnamareddy Srinivasulu Reddy, S/o.Balarami Reddy,
R/o.Varadaihpalem Mandal, Chittoor Dist.

..... APPELLANTS

AND

1. The Govt. of A.P., rep.by its Secretary,
Revenue Dept., Secretariat Buildings, Hyderabad.
2. The Dist.Collector, Chittoor Dist, Chittoor.
3. The M.R.O., Varadaiahpalem Mandal, Chittoor Dist.

.....RESPONDENTS

Counsel for the Appellant: MR.R.P.VENUGOPAL

Counsel for the Respondents: G.P. FOR REVENUE

The Court made the following :

O R D E R: (Per Hon'ble Sri Justice B.Sudershan Reddy)

The learned single Judge instead of adverting to the question as to whether the Orders dated 30.11.1993 passed by the third respondent herein runs contrary to G.O.Ms.No.1117 dated 11.11.1993, directed the appellant herein to prefer an appeal under Section 4-A of Act 9 of 1977.

In our considered opinion, the writ petition could not have been dismissed on the ground of availability of alternative remedy, after a long lapse of 10 years of filing of the writ petition in this Court. The writ petition is required to be disposed of on merits.

For the aforesaid reasons, the impugned order is set aside and the matter is remitted for fresh consideration in accordance with law. The writ petition shall stand restored to its file.

The Writ Appeal is accordingly allowed.

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B.SUDERSHAN REDDY, J.

Dated: 13.10.2004

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K.C.BHANU, J.

GS/MSV

To

1. The Secretary, Government of Andhra Pradesh,
Revenue Dept., Secretariat Buildings, Hyderabad.
2. The District Collector, Chittoor District, Chittoor.
3. The Mandal Revenue Officer, Varadaiahpalem Mandal, Chittoor Dist.

4. Two CCs to G.P. for Revenue, High Court of A.P. Hyderabad(OUT)

5. Two CD Copies.